



The Royal Burgh of Selkirk and District Community Council

Chairman
Vice-chairman
Secretary
Hon. Treasurer

Gordon Edgar
Dr. Lindsay Neil
David Bethune
Tom Combe

4/10 Dunsdale Road, Selkirk, TD7 5EB 01750 720168
46 Hillside Terrace, Selkirk, TD7 4ND 01750 720841
5 Marion Crescent, Selkirk, TD7 4LY 01750 721703
68 Back Row, Selkirk, TD7 4AG 01750 720921

Minute: Meeting held in the Committee Room, Victoria Halls, Selkirk on Monday 9th August, 2010, at 7pm

- 1) **Present:** Community Councillors Gordon Edgar (chair), Dr. Lindsay Neil (vice-chair), David Bethune (secretary), Tom Combe (treasurer), Caroline Cruikshank, Graham Easton, Jim Gibson, Ian King, John Munro and Alistair Pattullo, and Scottish Borders Councillors Kenneth Gunn and Carolyn Riddell-Carre.

[also in attendance: PC Lesley Shiell (until end of item 6), 2 members of the Press and 7 members of the public]

Chairman Gordon Edgar reminded those present that all comments should be addressed through the chair, and that all recording devices should be switched off.

- 2) **Apologies:** were received from Community Councillors Bob Kerr and Wilma Gunn and Scottish Borders Councillor Vicky Davidson.
- 3) **The minutes of the meeting held on 12th July** were approved (proposed: L. Neil; seconded: A. Pattullo), with 2 amendments: in Open Forum item (b) part (c) to add "C. Cruikshank will pass on this information"; in item 9, to add "The contributions of all those involved in the working group, drawn together by Cllr. Neil, with the approval of the Council, is appreciated."
- 4) **Matters arising from the minute not otherwise included on agenda**
Re July meeting, Open Forum, item (a), G. Edgar reported that the matter had been referred to SBC for action.
- 5) **Declarations of interest** – none.
- 6) **(a) Lothians and Borders Police**
PC L. Shiell reported on 11 crimes recorded, and 3 crimes solved, during July. These included 3 vandalism, 6 thefts, 1 obstructing the Police and 1 wasting Police time.
The **midnight football** had been very successful, involving around 40 youths every Friday night in July. A security guard is now patrolling the Haining.

J. Gibson noted that workmen were leaving **machinery** in a vulnerable condition in Bleachfield Road overnight. He was advised to phone the police if any suspicious activity was observed.

D. Bethune reported on a letter from residents who live in **the vicinity of the Mungo Park statue**, concerned about youths playing with rugby balls and footballs across the road, causing a noise nuisance and potential damage to properties and vehicles. PC Shiell reported that the Police will attend all calls as soon as possible, however calls are prioritised. She agreed that the CCTV cameras could be used to identify those causing the nuisance, but an exact time and date is required so that the correct footage can be viewed. Residents are encouraged to report incidents as soon as they happen, and as often as required, requesting an incident number from the Police. A follow-up phone call can then be made asking what action has been taken.

It seems that the Police are not able to be pro-active in dealing with this ongoing public nuisance. K. Gunn reported that he was concerned about damage caused by some youths to the seating under the chestnut tree, and that plans are underway to have the low wall removed. T. Combe reported similar problems occurring in the Old Kirkyard.

I. King asked about measures to prevent **speeding on Hillside Terrace**. PC Shiell responded that there was no policy on the use of civilians using hand-held speed cameras, but that she would support a request for illuminated speed check signs.

(b) SB Wardens

Apologies from Colin Mitchell (unable to attend this month) – and a message that 2 dog fouling notices were issued in July: one in Bannerfield and one at the caravan park on the grass area.

7) Planning:

(a) Planning applications considered:

	application	applicant	action / comments
(i)	10/01009/FUL: formation of new access and erection of retaining wall to form parking area, 24 Hillside Terrace	Mr. K. Murray	agreed to express concerns about road safety and drainage and the loss of visual amenity through the removal of a substantial section of retaining wall

(b) Other planning matters

- (i) I. King reported that the **Fairfield Drive** application has been refused; the applicant may appeal, or submit a new application for a single house, taking account of the tree preservation orders and other recommendations.
- (ii) I. King raised the ongoing issue of the blocked **public footpath behind The Priory**. We were assured that all 3 Councillors have visited the site, and that the contractor has been informed that the path must be reinstated. SBC Planning Enforcement Officers are involved.

OPEN FORUM (taken at 7.35pm)

- (a) John Howie described the difficulties encountered by the **allotment association** in relation to planning issues, and the unsatisfactory response from the Planning Officer to their enquiries. Cllr. Riddell-Carre asked Mr. Howie to give her written details, so that she could speedily resolve the matter. Cllr. Gunn also offered the support of all 3 SBC Councillors. Mr. Howie stated that all 15 allotments were thriving, and that he would not allow this planning issue to harm the success of the project. The Council offered its congratulations to the group on its achievements so far.
- (b) Mr. Coltherd, tenant of **Smedheugh Farm**, supported by a NFU vice-president, reported that 7 vehicles have crashed through the fence on the A699, since he took on the tenancy in December 2009. Apart from the cost issues, public safety is at risk if stock then stray on to the road. He asked that SBC erect warning signs to reduce driver speed. The Council agreed to write to SBC Roads Department asking for appropriate urgent action to be taken.
- (c) Jim Bradley asked when **Thornfield Avenue** would be re-surfaced. K. Gunn reported that a new material was to be used which would bond properly with the underlying concrete; however, this is not likely to take place before Spring 2011, as a spell of 6 weeks reasonable weather is required for the new material, and new gas pipes are to laid in October,
- (d) Dougie Purves
 - a. congratulated **Leven Brown** on his new transatlantic rowing record;
 - b. asked again about **blocked drains** (now partly blocked with tar); G. Edgar reported that BEAR had cleared all the A7 drains that day, but SBC had not yet dealt with the Dunsdale Road, Kilncroft and Mill Street drains;
 - c. thanked C. Cruikshank for supplying the names of those whose **footprints** are imprinted at the riverside;
 - d. suggested that **parking spaces** should be created on Linglie Road, as residents are parking on the grass; G. Edgar stated that this was the responsibility of SBHA.

8) Reports from SBC Councillors:

(a) Councillor Gunn:

- (i) reported on a proposed soak-away solution for the **drain in Dovecot Park** adjacent to the Pringle Park; approval was given by the Council;
- (ii) reported that **pavements at Chapel Street, Old Bridge Road and Scott's Place** were to be renewed shortly, and that engineers are looking at possible improvements at the **Yarrow Terrace / B7009 junction**;
- (iii) asked whether the Council would favour a change in the **opening time of the Recycling Centre** (from 10am to 9am); after discussion, the Council confirmed it would be in favour, but not if it meant losing the later evening opening.

(iv) made the following statement in relation to the accusation that he had called the Vice-Chairman a liar at the February meeting: *“I never at any time used the words and so when the ex-doctor decided to report me to the Standards Committee I was, to say the least, astounded. Luckily for me the public meeting was, as the law allows, recorded and it was proved without any doubt that the accusation against me was wrong. I did say at the Standards Committee which is a private meeting and whose papers are all marked “Private and Confidential” that I regretted that I should upset a long-time friend and agreed to repeat that at an open meeting of this council when both myself and Lindsay were present. I repeat that I regret it if I suffered him any embarrassment. I cannot apologise for something which it has been proved that I never said or never did but I am happy to receive the apologies of those members of this Council who submitted written evidence that I did ..”* Cllr. Gunn also suggested that *“a written public apology should be made in the press by that person who gave out (his wife’s) name and further made this council look foolish by asking the police to become involved as a public meeting had been recorded and when no law had been broken”*.

Two Councillors expressed concern that they were being “impugned” by this statement. L. Neil accepted the statement, and wished for a line to be drawn under the affair. G. Edgar stated that he had requested, and was still awaiting, a transcript and copy of the tape.

(b) Councillor Riddell-Carre:

- (i) reported that the **Minch Moor wind farm** planning application had been turned down;
- (ii) referred to the **Local Plan Amendment** and confirmed SBC hope to receive the report from the Reporter in October;
- (iii) reported that SBC will need to **reduce costs** by around £4M per annum;
- (iv) explained the purpose of the **SESPlan Main Issues Report**, and encouraged the Council to respond to the consultation;
- (v) gave a brief **Common Good update**:
 - **salmon fishings**: still under negotiation;
 - **South Common and Lingleie**: discussions ongoing re properties and proposed works;
 - **Smedheugh**: now let under the terms of the Limited Duration tenancy until 2024;
 - **Shops**: both now let, with income from these (and the farms) going directly into the CGF without any retention by SBC for repairs or factoring costs;
 - **Town Hall**: Museum Service is reviewing all its operations; quotations for external repairs currently being sought;
 - **Selkirk Hill**: leased by Golf Club for nominal rent; the rest of the hill is managed by SHMG, who receive an annual grant from the CGF to do so;
 - the **CGF accounts** are open to public scrutiny;
 - over the years since inheriting them, SBC has incurred costs in maintaining **former mill properties**, as a contribution to the economic development of the town;
 - SBC recognise that the position re ownership they have inherited from former councils, may not truly reflect the **legal position**. To address the issue of exactly who owns what, SBC are to fund a one year solicitor post to review all assets of the former burghs and then take forward any alterations to the asset list that is legally required. This work will be funded from the general fund of SBC - not set against the common goods- and shows that the council is taking positive steps in this matter. It is hoped that the post will be filled by the beginning of September.

(c) Councillor Davidson: not present – no report

9) Common Good Fund Operation

- (a) see report from Cllr. Riddell-Carre above
- (b) L. Neil reported that the Museum Service are working towards supplying an **accurate list of moveable assets** by October;
- (c) L. Neil asked for approval for his **paper for ASCC** proposing changes to Common Good Law; as this had not yet been circulated to all members, approval was deferred to the next meeting.

[Cllrs. K. Gunn and C. Riddell-Carre left at this point]

10) Correspondence

	Item	From	Action
(a)	information and poster on “Walk It” health walks	SBC	noted; poster displayed in notice board

(b)	invitation to nominate representative	Scottish Borders Elder Voice	noted
(c)	invitation to SESPlan Main Issues Report workshop (18 th August)	SESPlan	A.Pattullo and I.King to attend
(d)	DPA Certificate of Registration	SBC	noted
(e)	questionnaire	Volunteer Centre Borders	noted
(f)	paper for comment "A Digital Strategy for the Borders"	Jeremy Purvis MSP	noted
(g)	letter re area reps, membership renewal and insurance cover	ASCC	passed to T. Combe for action (membership has been renewed @£15)
(h)	consultation on licensing policy	Licensing Board	A. Pattullo to respond
(i)	consultation on permitted development rights for microgeneration equipment to be installed on non-domestic properties	Scottish Government	L. Neil to respond
(j)	further information on future Borders Walking Festivals	Pip Tabor	G. Edgar to follow up
(k)	letter re ball playing by youths around Mungo Park Statue	group of local residents	copy of letter to be forwarded to L&B Police, and Secretary to reply to the residents encouraging them to continue reporting incidents to the Police, asking for an incident number whenever they do so

11) Reports from Sub-committees and associated groups

- (a) **Selkirk Hill Management Group** – Minutes of last meeting received. G. Edgar gave a brief report: an ATV has churned up ground around the skating pond (Police informed); a tent has been left erected on the hill (being monitored, and will be removed soon); considering ways of involving young people from SHS.
- (b) **Plattling Twinning Group** – J. Munro reported that the visit by the Riddell Fiddles and Bogey Close Stompers to Plattling had been a great success.

12) Reports from working group

- (a) **Evening Study Classes** – T. Combe reported that the evening study classes will resume in September.

13) Community Council Finance:

- (a) The Council formally ratified the decision made at the last meeting to **agree to abide by the SBC Code of Conduct for Community Councils**.
- (b) In connection with the procedures for giving grants to external bodies, **the status of various groups** was clarified, as follows:
 - (i) **Selkirk Hill Management Group**: the only formal sub-committee of the Community Council (not an external body)
 - (ii) **Plattling Twinning Group**: an external group, but closely associated with the Community Council
 - (iii) other **ad hoc working groups** of the Council (not formal sub-committees) currently include: the planning group (assisting I. King), common good investigative group (working with L. Neil), Selkirk signage working group (to be arranged by A. Pattullo) and evening study class working "group" (T. Combe)
- (c) The Treasurer gave his **quarterly financial report**, with the balance at end of July being £1580.37; payments made in August: £15 ASCC membership and £134 approved expenses to L. Neil.
- (d) The Treasurer reminded members that **approval must be sought in advance** for any expenses to be paid through the Council's funds.

14) Proposals re changes to Common Good law (ref. item 9(c)): L. Neil to ensure proposals are circulated to all (including non-voting) members.

15) Report on meeting with GreenPower re wind farm proposal:

